independently of the others, hydrogen ... ". The definition of R^2 was amended similarly. Scope is unaffected thereby.

Applicants have also amended their claims in order to more particularly point out and distinctly claim their invention. As disclosed on page 1, the present invention relates to a composition and method for the pretreatment of fiber materials. This limit has therefore been incorporated into claims 1 and 8. Since claim 10 fails to further limit amended claim 8, it has been presently cancelled. No new matter has been added.

It is respectfully submitted that all the claims submitted for reconsideration are in good formal order. Reconsideration and withdrawal of the objection to claims 1-9 and 11 is therefore solicited.

Claims 1-8 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Stringer et al. (U.S. Patent 5,858,955). The examiner asserts that it would have been obvious to formulate a fabric cleaning composition in the proportions recited in the claims because Stringer suggests at least the components A-D and A-F in a similar fabric care cleaning composition. Applicants respectfully traverse this rejection for the reasons that follow.

The Stringer document discloses (see Summary of the Invention in column 4) aqueous solutions of an amine oxide which are used *inter alia* in "... cleaning compositions such as fabric care cleaning compositions ...". Obviously, the compositions of Stringer serve quite a different purpose than the inventive compositions because fabric care processes are performed upon textile end products, while pretreatment processes are performed on fiber materials before dyeing them (see page 1 of the disclosure).

Compositions which are suitable for pretreatment of textiles must fulfill a lot of requirements (again see page 1 of the disclosure). These requirements are substantially different from those required for fabric care compositions. Therefore the compositions of Stringer, which are, as will be shown, not identical with the inventive compositions, would not have rendered obvious the inventive compositions, i.e. a person skilled in the art would not have known how to modify the Stringer amine oxide compositions in order to obtain compositions suitable for pretreatment.

It is correct that Stringer discloses that individual compounds according to instant components A to D can be used in his cleaning compositions and that certain mixtures of these compounds may be used.

But the specific mixture of instant claim 1 is not disclosed. Applicants note that Stringer enumerates a vast array of individual components for each of the ingredients (a) to (e) of his compositions. Why should a person skilled in the art choose the special ingredients A to C according to instant claim 1 when he is confronted with the task of developing compositions for pretreatment, since the Stringer compositions serve a substantially different purpose?

Above all, Stringer does not disclose compositions that contain ethoxylated alcohols according to instant component B. Additionally Stringer does not disclose compositions that contain alcohols that are ethoxylated and propoxylated according to instant component C. Such a mixture is nowhere disclosed or even suggested in the Stringer reference, neither in the description nor in example 3 (the only example). Stringer only discloses individual ethoxylated compounds or ethoxylated/propoxylated compounds, but not mixtures of them.

Applicants further note that the PLURONICS cited in the Office Action do not fall under the definition of instant component C, because PLURONICS are copolymers of ethylene oxide and propylene oxide (see Stringer column 6, lines 49 to 52). They do not contain an alkyl radical with 4 to 20 carbon atoms at one of the ends of said copolymers. Claimed component C, however, does contain such a radical as R^3 in instant claim 1.

Applicants have clearly stated in the description that it is essential that the instant compositions contain both of components B and C, since compositions containing only A and either B or C yield inferior results. Thus, the instant invention cannot have been rendered obvious by the cited reference since Stringer does not teach that B and C have to be used, let alone that compositions that contain B and C are outstandingly suitable for pretreatment processes. In the compositions disclosed by Stringer either claimed component B or component C is not present, so these compositions suffer from the drawbacks mentioned in the instant description.

It is further noted that the examples in the specification must be considered in reaching a conclusion as to whether the claimed invention as a whole would have been obvious. *In re Margolis*, 228 USPQ 941 (CAFC, 1986). The combination of desirable properties shown in Table II on page 12 for the compositions of inventive Examples 1, 2, 6 and 6 must be regarded as surprising and unexpected. Hence the invention as a whole of claims 1-8 is clearly unsuggested by Stringer et al.

Reconsideration and withdrawal of the rejection of claims 1-8 under 35 U.S.C. § 103(a) as being unpatentable over Stringer et al. (U.S. Patent 5,858,955) is respectfully solicited in light of the remarks *supra*.

Claims 1-3 and 6-11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Gosselink et al. (U.S. Patent 5,691,298) in view of Stringer et al. (U.S. Patent 5,858,955). Applicants respectfully traverse this rejection for the reasons that follow.

First of all, the Gosselink reference is directed to oligomeric esters and detergent compositions used in consumer products (see Gosselink column 2, lines 14 to 18, column 3, lines 49 to 52, column 40, lines 12 to 42). They are used, for example, in laundry processes in washing machines. Gosselink nowhere mentions their use for pretreatment processes which are performed before dyeing and thus before finishing and manufacturing end articles such as clothing, whereas the subject matter of the instant invention consists in compositions which are highly suitable for this purpose. The Gosselink compositions are typical end-user products in household processes.

As stated above in connection with the Stringer reference, compositions for pretreatment processes have to meet specific requirements. Gosselink (like Stringer) does not disclose the instant compositions as will be shown below. Because the Gosselink compositions serve quite another purpose, it would not have been obvious from the Gosselink reference to modify the compositions in such a way that the inventive compositions result.

With regard to the oligomeric esters of Gosselink (claims 1 to 16 of Gosselink), said esters are of no relevance whatsoever with regard to the patentability of the present invention because none of components A to C according to instant claim 1 is an ester. Moreover, the compounds 1a, 1b, 1c and 2 of Gosselink's claim 1 are not present as such in the compositions of Gosselink. Rather they are chemically bonded into the backbone or as end groups (capping units) of ester molecules. In the present compositions, components A to C are present in free form. Additionally, the sulfonates of Gosselink's component 1a contain hydroxy groups, whereas in the sulfonates of instant component A there are no OH groups.

Re the detergent compositions of Gosselink (claims 17 to 25 of Gosselink), it is correct that Gosselink mentions individual components that fall under the definitions of instant components A to C as suitable surfactants. But the patent does not describe any specific mixtures that contain all three of claimed

components A to C. Above all, like Stringer (see above), Gosselink does not disclose that his compositions should contain a component according to instant component B and additionally a component according to instant component C, whereas in the present compositions the simultaneous presence of B and C is a "must". Gosselink, therefore, does not render obvious the present compositions, particularly since his compositions serve quite a different purpose.

Of the vast amount of surfactants that Gosselink enumerates, why should a person skilled in the art choose the specific combination of ingredients according to instant claim 1 when confronted with the problem of developing compositions highly suitable for the pretreatment of fiber materials ? Such a selection could only be made with the benefit of hindsight, which is a clearly inadequate basis for a rejection under 35 U.S.C. § 103(a).

Further, for the reasons advanced *supra*, Stringer fails to heal the deficiencies of Gosselink. Since neither reference teaches to employ a combination of a component according to component B and additionally a component according to component C, the combination cannot make that suggestion.

Reconsideration and withdrawal of the rejection of claims 1-3, 6-9 and 11 under 35 U.S.C. § 103(a) as being unpatentable over Grosselink et al. (U.S. Patent 5,691,298) in view of Stringer et al. (U.S. Patent 5,858,955) is respectfully solicited in light of the remarks *supra*. Further, since there are no other grounds of objection or rejection, passage of this application to issue with claims 1-3, 6-9 and 11 is earnestly solicited.

Applicants submit that the present application is in condition for allowance. In the event that minor amendments will further prosecution, Applicants request that the examiner contact the undersigned representative.

Respectfully submitted,

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APPENDIX: Marked up version of amended claims.

1. (amended) A composition for the pretreatment of fiber materials, said composition including ~~which includes~~ at least the components A, B, C and D,

where component A is either a sulfonate of the formula (I)

$R^1R^1R^2C\text{-}CR^1R^2\text{-}(\text{-}CR^1R^2\text{-})_n\text{-}R^1$ (I)

where n is from 0 to 8, each ~~any~~ R^1 is independently of the others hydrogen, an alkyl radical of 1 to 4 carbon atoms, an unsubstituted phenyl radical or a phenyl radical substituted by a radical of the formula $-SO_3^{\ominus}M^{\oplus}$, and each ~~any~~ R^2 is independently of the others R^1 or a radical of the formula $-SO_3^{\ominus}M^{\oplus}$, subject to the proviso that component A contains at least one radical of the formula $-SO_3^{\ominus}M^{\oplus}$ and M is Na, K or NH_4,
or where component A is a polyhydric aliphatic alcohol of 2 to 12 carbon atoms,

component B is an ethoxylated alcohol of the formula (II) or a mixture of such alcohols

$R^3\text{-}O\text{-}(\text{-}CH_2CH_2\text{-}O\text{-})_r\text{-}X$ (II)

where r is from 1 to 8,

component C is an alkoxylate of the formula (III) or a mixture of such alkoxylates

$R^3\text{-}O\text{-}(\text{-}Z\text{-})_t\text{-}X$ (III)

where t is from 4 to 30, 20 to 80% of all the Z groups present are $-CH_2CH_2-O-$ and 80 to 20% of all the Z groups present are $-CHR^4\text{-}CHR^5\text{-}O-$, where in each case one of R^4 and R^5 is hydrogen and the other is CH_3, R^3 in both component B and component C is a linear or branched alkyl radical of 4 to 20 carbon atoms and 50 to 100% of all the X's present are hydrogen and 0 to 50% of all the X's present are a methyl, ethyl or phenyl radical,

and component D is water.

8. (amended) A process for the pretreatment of ~~treating~~ fiber materials, which comprises treating ~~applying to~~ the fiber materials with a composition according to claim 1.